Docket No. MCP5021USNP

### N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David W. Wynn, et al

Serial No.: 10/697.840

Art Unit: 1616

Filed

: October 30, 2003

Examiner: Konata M. George

For

: Controlled Release Analgesic Suspensions

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22113-1450 on.

April 26, 2006
(Date of Deposit)

Michele G. Manqini
(Rame of applicant, assignce, or Registered Representative)

/Michele G. Manqini/
(Signature)

26 April 2006
(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on 26 August 2005 and 9 February 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

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information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with \$1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in \$1.97(b) above but before the mailing date of either a Final
Action under \$1.113 or a Notice of Allowance under \$1.311, or
an action that otherwise closes prosecution and that it is
accompanied by one of:

Statement in Accordance with §1.97(e)	
(attached); or	
Please charge Deposit Account No. 10-	
0750/MCP5021USNP/MGM the fee of $$180.00$ as se	<b>+</b>
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☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date o either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement: Accordance with §1.97(e) as set forth below and the fee of	
\$180.00 as set forth in \$1.17(p).	
Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.	
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In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner copies are not enclosed herewith.	
If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.	
○ Copies of only foreign patent documents and non-	
patent literature are enclosed in accordance with 22 GED : ea	

(a)(2).

$\hfill \hfill $
☐ The relevance of those listed references which are not in the English language is as follows:
Attached are copies of search report(s) from corresponding patent application(s), PCT/US2004/034708 (MCP5021PCT) which are listed on the attached Submission Under MPEP 609 D.
Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .
☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/MCP5021USNP/MGM. This form is

Respectfully submitted,

/Michele G. Mangini/ Michele G. Mangini Reg. No. 36,806 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2810 DATED: April 26, 2006



PTO/SB/08A (08-00) Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application Number 10/697,840 Filing Date October 30, 2003 D. Wynn First Named Inventor Group Art Unit 1616 Examiner Name K.M. George Attorney Docket Number MCP5021USNP

Sheet 1 of 1

		U.S. Patent Document					
Examiner Initials	Cite No.1	Number	of Cited Document of Cited		Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages relevant figures appear	
/C.B./		4,980,170	Α	G. Schneider et al	12-25-1990		
/C.B./		6,126,969	Α	S. Shah et al	10-03-2000		
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				IGN PATENT DOCUMENTS			

		Foreign	Patent Document		Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant	
Examiner Indials	Cite No.1	Office <sup>3</sup>	Office <sup>3</sup> Number <sup>4</sup> KindCode <sup>5</sup>		Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T°
/C.B./		EP	0717992	A2	McNeil-PPC, Inc.	06-26-1996		

ı	Signature /Courtney Brown/		Date Considered	12/20/2008
3	*FXAMINER: Initial if reference considered, who	ether or not citation is in conformance with I	ADED 600 Dra	us line through eitelien if and in an afarrance

and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number, 2 See attached Kinds of U.S. Patent Documents, 3 Enter Office that issued the document, by the two-letter code (WPC) Sandard ST 3,3 4 PG Japanese patent documents, the indication of the year of the reign of the Enjerent must precede the senal possible 5 Application is to just a movement. S find of document by the appropriate symbols as adicated on the document under WIPO Standard ST .16 if possible 5 Application is to justice a check mark here if English language Translation is attached.

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# SUBMISSION UNDER MPEP 609 D Page 1 of 1 US PATENT

Application Number	10/697,840
Filing Date	October 30, 2003
First Named Inventor	D. Wynn
Group Art Unit	1616
Examiner Name	K.M. George
Attorney Docket Number	MCP5021USNP

IIS PATENT DOCUMENTS

/		of Cited Document	U.S. Patent Docum		
Examiner Initials	Cite No.1		Number	Kind Code <sup>2</sup> (if known)	Pages, Columns, Lines, where relevant passages o relevant figures appear

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.1	Name of Patentee or Applicant of Cited Document	Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>	where relevant passages or relevant figures appear	T⁵
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		OTHER PRIOR ART -					
Examiner 's Initials*	Cite No.1	Include name of the author (in 0 title of the item (book, magazin volume-issue number(	e, joumal, :	serial, symp	osium, catalo	g, etc.), date, page(s),	T²
7G.B./		International Search Report re: PCT/U	S2004/0347	08 dated Jan	uary 26, 2006 (	MCP5021PCT)	
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Examiner //Courtney Brown/	Date	12/20/2008
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